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ABSTRACT

Despite their autonomy in school governance, school districts are creatures of state legislatures, and changes in school district organization are necessary to keep pace with changing needs. Accordingly, the types of Wisconsin school districts are described, and state statutes governing each type of district are provided. The first type--common school district--operates both elementary and high schools, derives authority from an annual meeting of electors, and has school boards elected at large or by apportionment. Statutes are cited governing powers of annual meeting, school board meetings and reports, school board duties, school board powers, and auditing of school district accounts. Other school district types include union high school districts, city school districts, and unified school districts. Union high school districts differ from common school districts in that they operate only high school grades (9-12), and their powers to authorize indebtedness are circumscribed. City school districts were dissolved by the legislature, but are nevertheless included. They do not have general meetings, and school boards are dependent for their authority on a fiscal board consisting of city council and municipal executives. Unified school districts likewise do not have an annual meeting, but unlike city districts, they are fiscally independent of city governments. Statutes governing school board meetings, powers, and duties are provided. The final type--"city of the first class"--refers to Milwaukee, the only school district on this type, which is covered by Chapter 119 of the Wisconsin statutes, with authority vested in a 9-member school board elected at large. (TE)

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Patterns of Government for
Wisconsin School Districts

**DIVISION FOR SCHOOL FINANCIAL RESOURCES AND MANAGEMENT SERVICES
BUREAU FOR SCHOOL MANAGEMENT SERVICES AND FEDERAL AIDS
SECTION FOR ADMINISTRATIVE MANAGEMENT AND SERVICES**

Bulletin No. 3233
(Revised 1983)

Introduction

Local school districts are unique to the United States where education has been clearly established as a function of the state, but where considerable responsibility for the operation, control and support of schools has been delegated to the local school districts. With powers conferred by the state, districts have assumed such responsibilities as planning and administering the school budget, levying taxes, employing and supervising personnel, constructing and equipping buildings, and determining curriculum content. Although legally a creature of the legislature, which can abolish, combine or create districts, and abrogate or modify their powers as it sees fit, the local school district remains the basic instrument of governance over the schools. A school district comprises the area served by a school system under a single board of education. The locally elected board is the legally designated governing body with the responsibility for the care, control and management of the property and affairs of the district.

The school district provides the organizational structure needed to marshal and utilize the resources available for educational purposes in making available the types of educational programs and services to children and youth considered essential and desirable. It is not an end in itself but rather, along with staff members, facilities, equipment and materials, a means of providing the setting in which learning can best take place.

Our State Constitution directed the establishment of district schools "... which shall be as nearly uniform as practicable ..." The development of educationally sound and financially adequate districts serving all areas of the state is essential if this goal of equal and quality educational opportunities for all Wisconsin children and youth is to be realized.

A district is considered adequate if it is capable of providing "... a comprehensive school program of offerings and services which meet the present and future educational needs of the children ... and which can function with efficiency and at a justifiable cost to the local taxpayer and to the state." (s. 116.51(2) Wisconsin Statutes) So long as the district is able to effectively and efficiently provide for the educational needs of the area it serves, it can be considered a satisfactory unit, but when it is unable to do the job for which it has been created, it traditionally has been modified. School district organization, therefore, has never been permanent or static nor was it ever intended to be. Changes in school district organization are a normal, on-going process necessary to keep pace with changing needs, expectations, and conditions. Through the years school districts in Wisconsin have undergone continual and more dramatic changes in types and numbers than any other type of governmental unit. These changes are shown in the following table:

Changes in the Types and Numbers of
WISCONSIN SCHOOL DISTRICTS—1937 to 1982

School Year	COMMON SCHOOL DISTRICTS				OTHER TYPE DISTRICTS					Total Dist.
	Elementary Districts				Total K- or 1-12	Union High School (9-12)	City School (K-12)	Unified (K-12) ^a	City of First Class (K-12)	
	Non-Oper.	One-Room Rural	Two or More Teachers	Total Elem.						
1937-38	472	6,181	698	7,351	240	82	103	—	1	7,777
1947-48	1,074	3,845	699	5,618	231	81	114	—	1	6,045
1957-58	29	2,380	741	3,150	222	80	115 ^b	—	1	3,568
1967-68	5	6	93	102	310	20	47 ^b	14	1	494
1979-80	0	0	49	49	314	10	41 ^c	18	1	433
1982-83	0	0	49	49	322	10	4	47 ^d	1	433
Change 1937-1982	-472	-6,181	-649	-7,302	+82	-72	-99	+47	NC	-7,344
Percent Change	-100	-100	-93.0	-99.3	+34.1	-87.8	-96.1	+100 ^a	NC	-94.4

Revised January 1983

^a The unified district plan of school government created by the legislature in 1959.

^b Includes two city elementary districts.

^c Includes one city elementary district.

^d Includes one unified elementary district.

Types of Wisconsin School Districts

All territory in the state must be included in a school district operating both elementary and high school grades, *or* in a district operating elementary school grades *and* a district operating high school grades. All districts have school boards responsible for the control and management of the property affairs of the school district, however, the ultimate local authority rests with the electors of the district. There are four different types of school districts in Wisconsin of which the common school district is by far the most prevalent. All types of districts except elementary and union high school districts are 12-grade districts and operate both elementary and high school grades. All districts are fiscally independent and separate, independent entities. The different types of districts and their basic unique characteristics are:

1. **COMMON SCHOOL DISTRICT**—has an annual meeting, at which any district elector is eligible to attend, speak, and vote. The tax levy is approved by the electors at this meeting. At one time the one-room rural school district, with over 6,000 in operation, was the most numerous type of common school district in the state, however, none of these districts exist today. There are the following two types of common school districts operating today:

- a. Elementary districts operating grades K or 1-8 with three or more teachers.
- b. K-12 or twelve grade districts.

2. **UNION HIGH SCHOOL DISTRICT**—provides programs for high school grades (9-12) only with elementary programs provided by underlying separate elementary school districts. Union High School districts have an annual meeting, are administered in the same way, and are governed by the same basic laws as common school districts.

3. **CITY SCHOOL DISTRICT**—As of June 30, 1983 all city school districts will have been dissolved. These districts were fiscally dependent with the school budget prepared and administered by the board

of education but required approval of a fiscal board. There is no annual meeting of electors.

4. **UNIFIED SCHOOL DISTRICT**—the newest type of Wisconsin school district created by the legislature in 1959. A unified district does not hold an annual meeting. The board of education, which is directly responsible to the electors, has the powers of the common school district annual meeting. This type of school district was designed to incorporate the best features of the common and former city school districts especially to meet the needs of larger school systems emerging in urban and urban-rural areas. There is one K-8 unified elementary district.

5. **CITY OF THE FIRST CLASS**—Milwaukee is the only school district of this type, which is also known as a special charter district because one entire chapter of the state statutes, Chapter 119, is devoted to it. It is a fiscally independent district administered by a 9-member board of education which operates very much like a unified district with the exception of tax limitations for operation and debt retirement.

Types and Numbers of WISCONSIN SCHOOL DISTRICTS

(January, 1983)

SCHOOL DISTRICT TYPES	Number	Pct. of Total
1. Common School Districts	371	85.7%
Grades K- or 1-8	49	
Grades K- or 1-12	322	
2. Union High School Districts	10	2.3
3. City School Districts (K-12)	4	0.9
4. Unified Districts	47	10.9
Grades K-8	1	
Grades K-12	46	
5. City of the First Class (Milwaukee)	1	0.2
TOTALS	433	100.0%

**A Comparison of Some of the Basic Characteristics of
COMMON AND UNIFIED SCHOOL DISTRICTS IN WISCONSIN**

CHARACTERISTICS	TYPE OF SCHOOL DISTRICTS	
	COMMON SCHOOL DISTRICTS ^a	UNIFIED SCHOOL DISTRICTS
ADMINISTRATIVE CONTROL	School board and electors at the annual school district meeting (s. 120.10, 120.12).	School Board-no annual meeting and school board is directly responsible to the electors (s. 120.75).
SCHOOL BOARD		
Number of Members	3, 5, 7, or 9 members elected at large or at large to numbered seats; up to 11 members with an area plan of apportionment. (s. 120.02)	5, 7, or 9 members elected at large; may adopt an area plan of apportionment (s. 120.72) or elect to numbered seats (s. 120.02).
When Elected	Elected at large at spring election (s. 120.06)	Elected at large at regular spring election (s. 120.73).
When Office Assumed	4th Monday in April	4th Monday in April
OWNERSHIP OF SCHOOL PROPERTY	Title is held in the name of the school district (s. 120.12(1)).	Title is held in the name of the school district (s. 120.71(1)).
FISCAL CONTROL		
Annual Budget	Budget prepared by school board and submitted to the electors at a duly noticed budget hearing at the time of the annual meeting (s. 65.90(4)). The board may, on or before the 3rd Monday in October, increase or decrease the levy voted to operate and maintain the schools if it is found to be insufficient or in excess of the amount needed (s. 120.12(3)).	Budget is prepared by the school board and submitted to the electors at a duly noticed budget hearing (s. 65.90).
Fiscal Year	July 1 through June 30 following	July 1 through June 30 following
Tax Levy Authorization	Annual meeting (s. 120.10) and school board (s. 120.12(3)).	School board (s. 120.75).
Long-Term Loans	Constitution limits indebtedness to 10% of the equalized valuation in K-12 districts; 5% in all others. (Article XI, Section 3, and s. 67.03).	Constitutional limitation of 10% of the equalized valuation of the district.
Authorization and Approval of Loans in Excess of \$5,000	Initial resolution by board or by electors must be approved by electors at annual or special district meeting. Loan approved by electors at a referendum (s. 67.05). School board may borrow on own resolution pursuant to s. 67.12(12) subject to referendum. ^b	Bond issues and loans in excess of \$5,000 pursuant to s. 67.05 or 67.12(12), must be approved by the electors in a referendum (s. 120.75).

a - Also applicable to union high school districts (s. 120.001).

b - Districts with no cities or incorporated villages may approve bond issue at a special school meeting (s. 67.05(6a)).

Common School Districts

GENERAL CHARACTERISTICS

1. Most common school districts operate both elementary and high school grades although some operate elementary grades only. Territory in a common elementary district must also be in a union high school district.
2. The common school district has an annual meeting of electors which has broad powers and authority including voting taxes for the operation of the schools and for other purposes specified by law.
3. Boards may have 3, 5, 7, or 9 members elected at large, or at large to numbered seats, or up to 11 members with an apportionment plan.
4. Common school districts budget on a July 1 to June 30 fiscal year.

120.10 POWERS OF ANNUAL MEETING.

The annual meeting of a common or union high school district may:

- (1) **CHAIRMAN AND CLERK.** Elect a chairman and, in the absence of the school district clerk, elect a person to act as the clerk of the meeting.
- (2) **ADJOURNMENT.** Adjournment from time to time.
- (3) **SALARIES OF SCHOOL BOARD MEMBERS.** Vote annual salaries for school board members or an amount for each school board meeting the member actually attends.
- (4) **REIMBURSEMENT OF SCHOOL BOARD MEMBERS.** Authorize the payment of actual and necessary expenses of a school board member when traveling outside the school district in the performance of his duties and the reimbursement of a school board member for actual loss of earnings when duties require the school board member to be absent from his regular employment.

(5) **BUILDING SITES.** Designate sites for school district buildings and provide for the erection of suitable buildings or for the lease of suitable buildings for a period not exceeding 20 years with annual rentals as fixed by the lease.

(6) **TAX FOR SITES, BUILDINGS AND MAINTENANCE.** Vote a tax to purchase or lease suitable sites for school buildings, to build, rent, lease or purchase and furnish, equip and maintain school district buildings. The tax may be spread over as many years as are required to pay any obligations approved or authorized at the annual meeting including rental payments due in future years under an authorized lease.

(7) **TAX FOR TRANSPORTATION VEHICLES.** Vote a tax to purchase, operate and maintain transportation vehicles and to purchase liability insurance for such vehicles, and to finance contracts for the use and services of such vehicles.

(8) **TAX FOR OPERATION.** Vote a tax for the operation of the schools of the school district.

(9) **TAX FOR DEBTS.** Vote a tax necessary to discharge any debts or liabilities of the school district.

(10) **SCHOOL SINKING FUND.** Vote a tax to create a sinking fund under s. 67.11 for the purpose of financing all current and future capital expenditures and for paying all current bonded indebtedness for capital expenditures. All money raised through taxation or otherwise collected pursuant to this subsection shall be deposited by the school district treasurer in a separate sinking fund. Such money shall not be used for any other purpose, except as provided by s. 67.11 (1), or be transferred to any other fund except by authorization by a two-thirds majority vote of the total number of electors of the school district.

(11) **TAX FOR RECREATION AUTHORITY.** Vote a tax for the purposes specified in s. 66.527.

(12) **SALE OF PROPERTY.** Authorize the sale of any property belonging to and not needed by the school district. If a school site or other lands are to be abandoned which were acquired or are held upon condition that they revert to the prior owner when no longer used for school purposes, the school board shall sell any school buildings thereon or move them to another site within 8 months after the school buildings cease to be used for school purposes or the site ceases to be maintained as a school district playground or park.

(13) **SCHOOL TERM.** Fix the number of days school shall be held during the school term at not less than 180 days, as defined in s. 115.01 (10). If the annual meeting does not fix the number of days, the school board shall fix the number of days. A subsequent school district meeting or school board shall act only to change the number of days school shall be held during the school term.

(14) **LEGAL PROCEEDINGS.** Direct and provide for the prosecution or defense of any action or proceedings in which the school district is interested.

(15) **TEXTBOOKS.** Authorize the school board to furnish textbooks under conditions prescribed by the annual meeting or by the school board. The authorization shall continue in effect until revoked by a subsequent annual meeting.

(16) **SCHOOL LUNCHES.** Direct the school board to furnish school lunches to the pupils of the school district and appropriate funds for that purpose.

(17) **NURSES AND DENTISTS.** In counties having a population of less than 500,000, authorize the school board to employ public health nurses, registered nurses and school nurses and licensed dentists and vote a tax for that purpose.

(18) **AGREEMENTS WITH BUILDING CORPORATIONS.** Authorize the school board to make agreements with school building corporations under s. 120.19.

(19) **CONSOLIDATION OF HIGH SCHOOLS.** In a union high school dis-

trict, vote to consolidate schools or to continue a school where more than one high school is operated by the school district.

120.11 SCHOOL BOARD MEETINGS AND REPORTS.

(1) The school board in a common or union high school district shall hold a regular meeting at least once each month at a time and place determined by the school board and may hold special school board meetings under sub. (2). A majority of the elected school board members constitute a quorum at a regular or special school board meeting. The school district president shall preside at school board meetings. In the president's absence, the school district vice president shall preside or, in the case of a 3-member board, the school board may select another school board member to preside. The school district clerk shall record the minutes of the school board meetings and, in his or her absence, the school board may select another school board member to act as the clerk of the meeting.

(2) **SPECIAL SCHOOL BOARD MEETINGS.** A special school board meeting shall be held upon the written request of any school board member. The request shall be filed with the school district clerk or, in clerk's absence, the school district president who shall notify in writing each school board member of the time and place of the special school board meeting at least 24 hours before the meeting. The notice shall be delivered to each school board member personally or shall be left at the usual place of abode of the school board member or shall be mailed by first class mail to the usual place of abode of the school board member so as to arrive at least 24 hours before the special school board meeting. A special school board meeting may be held without prior notice, if all school board members are present and consent, or if every school board member consents in writing even though he or she does not attend.

(3) **ANNUAL REPORT OF RECEIPTS AND EXPENDITURES.** Before the annual meeting, the school board shall meet to examine the accounts of the school district treasurer and to prepare a full, itemized written report which shall be

presented and read at the annual meeting. The report shall state all receipts and expenditures of the school district since the last annual meeting, the current cash balance of the school district, the amount of the deficit and the bills payable of the school district, the amount necessary to be raised by taxation for the support of the schools of the school district for the ensuing year and the amount required to pay the interest and principal of any debt due during the ensuing year. The report also shall include the budget summary required under s. 65.90. The school district clerk shall copy the report, with the action taken thereon, and all other proceedings of the annual meeting in full in the school district record book.

(4) **PUBLICATION OF SCHOOL BOARD MEETING PROCEEDINGS.** The proceedings of a school board meeting shall be published within 45 days after the meeting as a class 1 notice, under Ch. 985, in a newspaper published in the school district, if any, or published by school district-wide distribution prepared and directed by the school board and paid out of school funds. If there is no newspaper published in the school district, the proceedings shall be posted or published as the school board directs. For the purpose of publication, the proceedings shall include the substance of every official action taken by the school board at the meeting and a statement of each receipt and expenditure exceeding \$100, but salaries may be listed in the aggregate.

120.12 SCHOOL BOARD DUTIES. The school board of a common or union high school district shall:

(1) **MANAGEMENT OF SCHOOL DISTRICT.** Subject to the authority vested in the annual meeting and to the authority and possession specifically given to other school district officers, have the possession, care, control and management of the property and affairs of the school district, except for property of the school district used for public library purposes under s. 43.52.

(2) **GENERAL SUPERVISION.** Visit and examine the schools of the school district, advise the school teachers and ad-

ministrative staff regarding the instruction, government and progress of the pupils and exercise general supervision over such schools.

(3) **TAX FOR OPERATION AND MAINTENANCE.** (a) On or before the 3rd Monday in October, determine the amount necessary to be raised to operate and maintain the schools of the school district and public library facilities operated by the school district under s. 43.52, if the annual meeting has not voted a tax sufficient for such purposes for the ensuing school term. On or before the last working day in October, the school district clerk shall certify the appropriate amount so determined to each appropriate municipal clerk who shall assess the amount certified and enter it on the tax rolls as other school district taxes are assessed and entered.

(b) **DETERMINING AND CERTIFYING SCHOOL TAX.** If a tax sufficient to operate and maintain the schools of a school district for the ensuing school year has not been determined, certified and levied prior to the effective date of school district reorganization, *except an attachment to a city school district*, affecting any territory of the school district, the school board of the reorganized school district shall determine, on or before the 3rd Monday of October following the effective date of the reorganization, the amount of deficiency in operation and maintenance funds on the effective date of the reorganization which should have been paid by the property in the reorganized school district if such tax had been determined, certified and assessed prior to the effective date of the reorganization. On or before the last working day in October, the school district clerk shall certify the appropriate amount to each appropriate municipal clerk who shall assess, enter and collect such amount as a special tax on such property. This paragraph does not affect the apportionment of assets and liabilities under s. 66.03.

(c) **LOWERING OF TAX VOTED AT ANNUAL MEETING.** If on or before the 3rd Monday in October the school board determines that the annual meeting has voted a tax greater than that needed to

operate the schools of the school district for the ensuing school year, the school board may lower the tax voted by the annual meeting. On or before the last working day in October, the school district clerk shall certify the appropriate amount so determined to each appropriate municipal clerk who shall assess the amount certified to him and enter it on the tax rolls in lieu of the amount previously reported.

(4) **TAX FOR DEBT RETIREMENT.** On or before the 3rd Monday of October, determine the amount necessary to meet any irrepealable tax obligations or other financial commitments of the school district not otherwise provided for. The school district clerk shall certify the amount apportioned to each appropriate municipal clerk who shall include the amount certified to him and enter it on the tax rolls as other school district taxes are assessed and entered.

(5) **REPAIR OF SCHOOL BUILDINGS.** Keep the school buildings and grounds in good repair, suitably equipped and in safe and sanitary condition at all times.

(6) **INSURANCE ON SCHOOL BUILDINGS AND GROUNDS.** Keep the school buildings and equipment and other property amply insured. If there are no funds in the school district treasury sufficient to pay the premium, the school board may execute a note for that purpose.

(7) **DEPOSITORY.** Designate one or more public depositories in which the money belonging to the school district shall be deposited and specify whether the monies shall be maintained in time deposits subject to the limitations of s. 66.04 (2), demand deposits or saving deposits. When the money is so deposited in the name of the school district, the school district treasurer and his bondsmen are not liable for any loss as defined in s. 34.01 (6). The interest on such deposits shall be paid into the school district treasury.

(8) **INVENTORY.** Annually make an inventory of the school district property.

(9) **DISCUSSION OF PUBLIC QUESTIONS.** Upon the written application of one-half of the electors of the school district, allow the use of the school buildings or grounds for the free discussion of public questions so far as such use does not interfere, in the opinion of the school board, with the prime purpose of the school buildings or grounds.

(10) **CITIZEN ASSOCIATIONS.** If the citizens of any community are organized into a non-partisan, nonsectarian, nonexclusive association for the discussion of public questions or for the promotion of public health by instruction in physical culture and hygiene or by physical exercises, grant to such association the use, when not being used for its prime purpose, of a school building or other school district property which is capable of being used in the work of such association, provide free of charge any necessary light, heat and janitor service and make such other provisions as are necessary for the free and convenient use of such school buildings or property by the association at such times as the association designates. All such gatherings shall be free to the public.

(11) **INDIGENT CHILDREN.** Provide books and school supplies for indigent children residing in the school district.

(12) **SANITARY FACILITIES.** Provide and maintain enough suitable and separate toilets and other sanitary facilities for both sexes at each school.

(13) **MAIL BOX.** Provide and maintain a mail box for each school of the school district located on a rural mail route.

(14) **HIGH SCHOOL COURSE OF STUDY.** Determine the school course of study, with the advice of the state superintendent.

(15) **SCHOOL HOURS.** Establish rules scheduling the hours of a normal school day. The school board may differentiate between the various elementary and high school grades in scheduling the school day. The equivalent of 180 such days, as defined in s. 115.01 (10), shall be held during the school term. This subsection

shall not be construed to eliminate a school district's duty to bargain with the employee's collective bargaining representative over any calendaring proposal which is primarily related to wages, hours and conditions of employment.

(16) **IMMUNIZATION OF CHILDREN.** Require each student to present evidence of completed basic and recall (booster) series immunizations unless the student, if an adult, or the parent, guardian or legal custodian of a minor student submits a written waiver to the school board under s. 140.05 (16) (c).

120.13 SCHOOL BOARD POWERS. The school board of a common or union high school district may:

(1) **SCHOOL GOVERNMENT RULES; SUSPENSION; EXPULSION.** (a) Make rules for the organization, gradation and government of the schools of the school district, including rules pertaining to conduct and dress of pupils in order to maintain good decorum and a favorable academic atmosphere, which shall take effect when approved by a majority of the school board and filed with the school district clerk.

(b) **SUSPENDING PUPILS.** The school district administrator or any principal or teacher designated by him also may make rules, with the consent of the school board, and may suspend a pupil for not more than 3 school days or, if a notice of expulsion hearing has been sent under par. (c), for not more than a total of 7 consecutive school days for noncompliance with such rules or school board rules, or for knowingly conveying any threat or false information concerning an attempt or alleged attempt being made or to be made to destroy any school property by means of explosives, or for conduct by the pupil while at school or while under the supervision of a school authority which endangers the property, health or safety of others, or for conduct while not at school or while not under the supervision of a school authority which endangers the property, health or safety of others at school or under the supervision of a school authority. Prior to any suspension, the pupil shall be advised of

the reason for the proposed suspension. The pupil may be suspended if it is determined that he is guilty of noncompliance with such rule, or of the conduct charged, and that his suspension is reasonably justified. The parent or guardian of a suspended minor pupil shall be given prompt notice of the suspension and the reason therefor. The suspended pupil or his parent or guardian may, within 5 school days following the commencement of the suspension, have a conference with the school district administrator or his designee who shall be someone other than a principal, administrator or teacher in the suspended pupil's school. If the school district administrator or his designee finds that the pupil was suspended unfairly or unjustly, or that the suspension was inappropriate, given the nature of the alleged offense, or that the pupil suffered undue consequences or penalties as a result of the suspension, reference to the suspension on the pupil's school record shall be expunged. Such finding shall be made within 15 days of the conference. A pupil suspended under this paragraph shall not be denied the opportunity to take any quarterly, semester or grading period examinations missed during the suspension period.

(c) **EXPELLING PUPILS.** The school board may expel a pupil from school whenever it finds the pupil guilty of repeated refusal or neglect to obey the rules, or finds that a pupil knowingly conveyed or caused to be conveyed any threat or false information concerning an attempt or alleged attempt being made or to be made to destroy any school property by means of explosives, or finds that the pupil engaged in conduct while at school or while under the supervision of a school authority which endangered the property, health or safety of others, or finds that a pupil while not at school or while not under the supervision of a school authority engaged in conduct which endangered the property, health or safety of others at school or under the supervision of a school authority, and is satisfied that the interest of the school demands the pupil's expulsion. Prior to such expulsion, the school board shall hold a hearing. Not less than 5 days' written notice of the hearing shall be sent to

the pupil and, if the pupil is a minor, to the pupil's parent or guardian, specifying the particulars of the alleged refusal, neglect or conduct, stating the time and place of the hearing and stating that the hearing may result in the pupil's expulsion. The pupil and, if the pupil is a minor, his parent or guardian may be represented at the hearing by counsel. The school board shall keep written minutes of the hearing. Upon the ordering by the school board of the expulsion of a pupil, the school district clerk shall mail a copy of the order to the pupil and, if the pupil is a minor, to the pupil's parent or guardian. The expelled pupil or, if the pupil is a minor, the pupil's parent or guardian may appeal the expulsion to the state superintendent. An appeal from the decision of the state superintendent may be taken within 30 days to the circuit court of the county in which the school is located. This paragraph shall be printed in full on the face or back of the notice.

(2) ACCIDENT INSURANCE. Provide for accident insurance covering pupils in the school district. Such insurance shall not be paid from school district funds unless the expenditure is authorized by an annual meeting.

(3) AGREEMENTS WITH GOVERNMENTAL UNITS. Enter into agreements, including leases for a term not exceeding 50 years, with a school district, city, village, town, county or the state or any department or any agency thereof for the purchase, operation and maintenance of land, buildings and equipment for educational purposes, including, without limitation because of enumeration, contracts for the construction or repair of school driveways, roadways and parking areas or for the operation of any school program authorized by law.

(4) TUITION PAYMENTS. (a) On its own order, provide for the education of the pupils of the school district on a tuition basis, if it first has made a written finding of fact that an emergency exists, stating the nature thereof, because of the destruction of school buildings of the school district, failure to obtain a qualified teacher or any other emergency which makes it impossible to conduct school

within the school district. No state aids may be paid to such school district until a copy of the finding of fact has been filed with the state superintendent. For a period of 2 years after making such order, a school district which suspends its schools under this paragraph is eligible to receive state and county aid in the same amount as if it had operated schools.

(b) TUITION PROVISIONS. On its own order, provide for the education of a portion of the pupils of the school district on a tuition basis, if the enrollment of a school district increases to a number exceeding 30 pupils per classroom. For a period of 2 years after making such order, the school district shall be eligible to receive state and county aid as though the pupils included in the order had been enrolled in the schools of such school district. The state superintendent may extend such period of eligibility from year to year, if he is satisfied on the basis of evidence presented to him that the school district is unable to provide sufficient funds for the construction of additional school buildings because of constitutional limitations on debt or that a school district reorganization which affects the school district is being contemplated under Ch. 117. Thereafter the school district is not eligible to receive state and county aid until adequate school building facilities are provided in the school district to properly accommodate pupils eligible to attend the schools of the school district.

(5) BOOKS, STATIONERY AND EQUIPMENT. Purchase necessary books and stationery for the proper administration of the school district; purchase equipment, books, school apparatus and heating and ventilating apparatus for the use of the schools of the school district from any funds not otherwise appropriated; and purchase any school books which in its judgment are needed by pupils whose parents are not able to furnish such books.

(6) FEDERAL AID. Apply for, receive and expend moneys made available to it by any act of congress for educational programs, school property and facilities, re-

search, school food service and other school district programs.

(7) EXCHANGE TEACHERS. Exchange any teacher employed by the school district for a teacher employed by a school district in another state or country or employed by a college or university, the state, a vocational, technical and adult education district or a cooperative educational service agency. No exchange may be for a longer period than one year. A teacher of this state exchanged under this subsection shall be deemed to have taught during the period in the school district by which the teacher is employed and shall be assessed, for the benefit of the public employee trust fund the full amount which would have been assessed against the teacher had the teacher actually taught in the school district.

(9) ARCHITECTS AND ENGINEERS. Contract with or employ architects and engineers for the preparation of plans and specifications for school buildings, structures and other improvements to school district property and for all other related services.

(9m) LEGAL SERVICES. Retain an attorney or attorneys to represent the board or school district in action or proceeding brought for or against the board or district and provide for any other legal service for the welfare of the school district.

(10) SCHOOL FOOD SERVICE. Furnish school meals to pupils and pay for the meals out of school district funds. The school board may charge pupils and employees for the cost of school meals.

(11) NURSES AND DENTISTS. (a) In counties having a population of less than 500,000, employ public health nurses and licensed dentists, who shall be under the supervision of the local board of health, the department of health and social services, registered nurses and school nurses.

(b) In counties having a population of 500,000 or more, employ qualified public health nurses, school nurses, registered nurses and licensed dentists who shall

cooperate with the local boards of health and the department of social services.

(12) HISTORICAL RECORDS. Under s. 44.09, transfer title to any school records to the state historical society which are no longer needed for the proper administration of the school district and which the society determines are of permanent historical interest.

(13) PRE-KINDERGARTEN CLASSES. Establish and maintain classes for children less than 4 years of age under such regulations as it prescribes. The school board may accept and receive federal funds for such purpose and expend such funds in conformity with the purposes and requirements thereof. The school board may charge a reasonable fee for attendance at such classes but may waive the fee or any portion thereof to any person who is unable to make payment.

(15) SPECIAL HIGH SCHOOL COURSES. In a union high school district or a common school district operating elementary and high school grades, establish and maintain courses in industrial arts, home economics, agriculture or commercial subjects and such other courses as the school board determines.

(16) SCHOOL BOARD ORGANIZATION; FEE. Pay the membership fee in an organization of school boards in this state and the actual and necessary expenses of its representatives incurred in attending meetings of such organization.

(17) PUBLIC MEETINGS; LIABILITY. Grant the request of any responsible resident of the school district to use a schoolhouse in the school district for such public meetings as, in the judgment of the school board, will aid in disseminating intelligence and promoting good morals. The applicant shall be primarily, and the school board members secondarily, liable to the school district for any injury to property and for any expense incurred in consequence of any such use of a schoolhouse.

(18) SPECIAL ACTIVITIES. Grant the use of a schoolhouse in the school district

for lectures, entertainments and school exercises held under the auspices of and for the benefit of the school and permit an admission fee to be charged.

(19) USE OF PROPERTY FOR FEES. Grant the use of school buildings and grounds to any responsible organization for public meetings to which an admission price is demanded, and to charge for such use an amount fixed by the school board and grant the use of school property during nonschool hours to religious organizations upon payment of reasonable fees and upon such conditions as the board determines, if such use does not interfere with the prime use of the school property. Amounts so received shall be paid into the school district treasury to constitute part of the general fund and to be used for the benefit of the schools of the school district.

(20) CIVIC ACTIVITIES. Provide for the free use of school property for civic, social and recreational activities which do not interfere with the prime use thereof. The use of school buildings shall not be granted for public dancing, if a majority of the electors of the school district object in writing or if a resolution against public dancing in the school buildings has been adopted at an annual meeting.

(21) LECTURES. Provide free lectures on educational subjects in school buildings, public library buildings or other suitable places, and provide for the further education of the adult residents of the school district. The school board may purchase books, stationery, charts and other things necessary to conduct such lectures and may designate a person to manage such lectures.

(22) CABLE TELEVISION. Enter into leases for a term not exceeding 20 years for acquisition of cable television services and facilities for educational purposes.

(23) BONDS FOR OFFICERS AND EMPLOYEES. Require an officer or employe of the board to give security in such form and amount as the board determines, and may require at any time additional bonds and sureties of any officer or employe.

(24) CONTRACTS WITH OTHER DISTRICTS. Participate and enter into contracts with other school boards as provided under s. 66.30 (6).

(25) LEASE SCHOOL PROPERTY. In addition to any other authority, lease school sites, buildings and equipment not needed for school purposes to any person for any lawful use at a reasonable rental for a term not exceeding 15 years if approved at an annual or special school district meeting.

(26) CONTRACTS WITH PRIVATE EDUCATION SERVICES. Upon the approval of the state superintendent and applicable for school years 1980-81 to 1984-85, contract with private education services for pupils who need concurrent education and treatment services, the educational portion of which is not available in the schools in which the pupils are enrolled. Private education services provided under this subsection may not include religious or sectarian teachings or instruction.

(27) TRANSPORTATION OF PERSONS WHO ARE NOT PUPILS. (a) Subject to par. (b), *the school board may use or allow the use of school busses owned and operated by the school district to transport persons who are not pupils of the school district.* School busses may be used by persons who are not pupils of the school district during school hours if such use does not interfere with the transportation of pupils of the school district. The school board shall charge a fee for use of the school busses under this subsection. The fee shall be an amount equal to the actual cost of transportation under this subsection, including but not limited to costs for depreciation, maintenance, insurance, fuel and compensation of vehicle operators. If the school board denies a written request for use of the school busses, the school board shall provide the requester a written statement of the basis for the denial within 14 days after the denial.

(b) No school bus may be used to provide transportation under this subsection unless the vehicle is insured by a policy providing property damage coverage and

bodily injury liability coverage for such transportation in the amounts specified in s. 121.53 (1).

(28) RECORDS CUSTODIAN. On behalf of any school district authority as defined in s. 19.32 (1), including the school board, school district officers and any subunit of the school board or school district, designate one or more persons to be legal custodians of records.

120.14 AUDIT OF SCHOOL DISTRICT ACCOUNTS. In a common or union high school district:

(1) At the close of each fiscal year, the school board of each school district shall authorize an audit of the school district accounts pursuant to sub. (2) or employ a licensed accountant to audit the school district accounts and certify the audit. The audit shall include an audit of the number of pupils reported for member-

ship purposes under s. 121.004 (8). The cost of the audit shall be paid from school district funds.

(2) The school board may request the department of revenue in accordance with s. 73.10 (5) to audit the school district accounts install a system of accounts compatible with the uniform financial accounting system prescribed in s. 115.28 (13) and advise and make recommendations concerning current financial practices and procedures.

(3) The annual meeting may authorize and direct an audit of the school district accounts either by a licensed accountant or by the department of revenue.

(4) The department shall establish by rule a standard contract and minimum standards for audits performed under this section.

Union High School Districts

GENERAL CHARACTERISTICS

1. The union high school district has an annual meeting which has the powers of the common school district annual meeting, except authorizing an indebtedness of over 5 percent of the district's equalized valuation. Common school district statutes are applicable to union high school districts.
2. The union high school district board has the powers of the common school district board.
3. The union high school district operates only 9th, 10th, 11th, and 12th or high school grades.

City School Districts

CHAPTER 340, LAWS OF 1981 provides for the dissolution of the city school districts on or before July 1, 1983. The general characteristics of city school districts are retained in this publication as a reference of city school district governance.

GENERAL CHARACTERISTICS

1. City school districts are the only fiscally dependent districts in which the budget and tax levy must be approved by the fiscal board although the budget is developed and administered by the school board.
2. The city school system does not have an annual meeting.
3. The board of education may be elected at large, at large to numbered seats, by wards, or may be appointed by the mayor. All school boards are now elected in Wisconsin.
4. Joint city school districts electing board members by aldermanic districts must also elect members from each municipality in the area attached to the city for school purposes. If elected at large, electors in attached territory may be elected.
5. The fiscal board consists of all city council members of the city plus the town chairmen plus the presidents or mayors of other municipalities with territory in the district. If the town chairman does not reside in the district, a town board member who does shall be designated to serve on the fiscal board. Each member has one vote for every \$200,000 of equalized valuation which he represents.
6. The city holds title to all school district property.

Unified School Districts

GENERAL CHARACTERISTICS

1. The unified school district does not have an annual meeting. The board has the powers of the common school district meeting, except the authorization of long-term debts.
2. The 5, 7, or 9 member board is elected at large according to an apportionment plan or to numbered seats (s. 120.02).
3. The unified school district is fiscally independent of the town boards, village boards and city councils. Unified districts budget on a July 1 to June 30 fiscal year.

120.74 SCHOOL BOARD MEETINGS. (1) Annually, the school board shall elect a school board president, school board vice president, school district clerk and school district treasurer from among its members and a school board secretary who need not be a member of the school board.

(2) The school board shall meet at least once each month and at other times upon the call of the school board president or upon the filing of a request with the school district clerk signed by a majority of the school board members.

(3) Each school board member may be paid an annual salary or an amount fixed

by the school board for each school board meeting the member actually attends.

(4) Proceedings of the school board shall be published in accordance with s. 120.48 (4).

120.75 SCHOOL BOARD POWERS AND DUTIES. The public schools of a unified school district shall be under the management, control and supervision of a school board. The school board shall have the powers and duties under ss. 120.12 to 120.17, 120.21, 120.22 and 120.58, including the power to make rules pertaining to conduct and dress of pupils in order to maintain good decorum and a favorable academic atmosphere. No annual meeting shall be held in a unified school district but the school board shall have the powers of the annual meeting under s. 120.10. Annually, the school district clerk shall file the report required under s. 120.18. The school board shall employ a school district administrator under s. 118.24. The school board shall not, in the name of the school district, issue bonds or incur other indebtedness without approval of the electors of the school district in any instance where the school board of a common school district is not authorized to do so.

City of the First Class

Chapter 119 of the Wisconsin statutes applies only to cities of the first class and the only such city in Wisconsin is the City of Milwaukee. Management of the school system is vested in a 9-member board of education which is elected at large. Other than this

and certain requirements relating to tax limitations for operation and debt purposes, this type of district operation is similar to the unified school district. Actually, the unified school district was patterned to a large extent after the Milwaukee city system.

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